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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,879	08/06/2003	Stanley G. McCabe	5805-81	9071

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EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT	PAPER NUMBER
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3765

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,879

Applicant(s)

MCCABE, STANLEY G.

Examiner

Ismael Izaguirre

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31 is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18-23, 27-29 and 32 is/are rejected.
- 7) ☒ Claim(s) 7, 17, 24-26 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/6/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

CLAIMS

Summary

Claims 1,8,14,18,23,27,31 and 32 are the independent claims under consideration in this Office Action.

Claims 2-7,9-13,15-17,19-22,24-26 and 28-30 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 8-13,16,21 and 32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 8, line 2, the words "the apparatus comprising" are unclear. The claim defines a "method" for spreading an article and includes method steps; accordingly, "the apparatus comprising" is unclear. Perhaps "the method comprising" would help?

Referring to claims 16 and 21, last two lines; the words "the pair of pinch belts" lack a proper antecedent basis.

Referring to claim 32, penultimate line, the words "of the first and second corners" are unclear. From step c), the first corner was released, and there is an

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implication that the first corner is still being held. This language is unclear and confusing. Is the first corner "reclamped" and held?

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sjostrom (3,911,604).

Sjostrom teaches an apparatus for spreading an article of laundry. Sjostrom teaches a first moveable clamp 29 and a second movable clamp 30. A conveyor 56 and 10 is provided for conveying the article of laundry away from the first and second clamps. The conveyor is capable of being defined as having a centerline parallel with the direction of movement of the conveyor 56. Both the first and second clamps are movable (pivotable) toward and away from the conveyor for presenting a clamped article to the conveyor. The clamp 30 is movable toward the second side (beyond the centerline) and then movable back toward the first side and presenting (releasing) its article portion at the first side. The clamp 29 is movable toward the second side and presenting (releasing) its article portion at the second side. The clamps comprise a pair of clamps inherently having jaws and positioned such that they move horizontally toward the conveyor and approach the conveyor from above. A pair of "pinch rollers" is

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provided 40 and 42 for pinching the article against the conveyor and moving this toward the conveyor proper 56.

Claims 1-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wiebesiek (4,501,529).

Wiebesiek teaches an apparatus for spreading an article of laundry. Wiebesiek teaches a first moveable clamp 30 and a second movable clamp 31. A conveyor 12 is provided for conveying the article of laundry away from the first and second clamps. The conveyor is defined as having a centerline *M* parallel with the direction of movement of the conveyor. Both the first and second clamps are movable (translatable) toward and away from the conveyor and include a pair of jaws 33,34 (figure 5, for example), and an endless loop 27 connected with a motor 23 and a control means for actuating an inherent actuator which drives the motor for moving the clamps. The first and second clamps are movable for presenting a clamped article to the conveyor. The clamp 30 is movable toward the second side (beyond the centerline) and then movable back toward the first side. The clamp 31 is movable toward the second side and presenting (releasing) its article portion at the first side. The clamps clamp the article and present the article to the conveyor, which includes a pinch roller 13 for pinching the article against the conveyor and moving the article for pressing and removing wrinkles.

Claims 1-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Weir (5,333,402).

Weir teaches an apparatus for spreading an article of laundry. Weir teaches a first and second moveable clamps 28. A conveyor 13 (figure 2) is provided for conveying the article of laundry away from the first and second clamps. The conveyor is defined as having a centerline 2 parallel with the direction of movement of the conveyor. Both the first and second clamps are movable (translatable) toward and away from the conveyor and include a pair of jaws (figure 6, for example), and at least one endless loop (figure 15B, for example) connected with a motor 3 and a control means for actuating an inherent actuator, which drives the motor for moving the clamps. The first and second clamps are movable for presenting a clamped article to the conveyor. One or each clamp is movable toward the second side (beyond the centerline) and then movable back toward the first side. The clamps clamp the article and present the article to the conveyor, which includes a pinch roller (see figure 2, above conveyor 13, at the end of the arrow head shaped plate directly above the character 13) for pinching the article against the conveyor and moving the article for pressing and removing wrinkles.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8-11, 18, 19, 21-23 and 27-29 are rejected under 35 U.S.C. § 102(a or e) as being anticipated by Nakamura (6,584,711).

Nakamura teaches a method and apparatus for spreading an article of laundry. Nakamura teaches an apparatus comprising clamping the article 1 at a first location using rollers 4 and clamping the article adjacent to or at a corner using clamp 6 in addition to the first location. The corner and first location are displaceable (figures 4-6, for example) and the first location is released (figure 6) after clamping with a further clamp, which clamps another corner (at 7). The corner is moved and the first location is released and the article is moved over a conveyor 8 (figure 8) for flattening the article thereon. The article is moved over the conveyor and the trailing end is sensed as the article is moved. The corner at 7 is released after the article is moved to align one edge thereof by means 10. A further clamp 11 grips the aligned portion and moves the article off the conveyor for movement of the article and identifying a side edge of the article. A pivotable clamp then is moved and grasps the edge (figure 14) and the identified edge is clamped and fed to a pair of conveyors where the clamps B move in slots between the conveyors for flattening of the article (figure 19).

Claims 8-11, 13 and 14 and 18-21 are rejected under 35 U.S.C. § 102(a or e) as being anticipated by Takahashi et al. (6,477,797).

Takahashi et al. teach a method and apparatus for spreading an article of laundry. Takahashi et al. teach an apparatus comprising clamping the article Y at a first

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location using a clamp 21 (figure 2) and clamping the article adjacent to or at a corner using clamp 31 in addition to the first location. The corner and first location are displaceable upwards (figure 2, for example) and the first location is released and the corner is displaced in a second direction by clamp 31 toward a downwardly pivotable clamping means 45 (figure 4) which clamps the article in preparation for further clamping and transport by clamp 51 (figure 5). The article is further clamped by clamps 71 and 72 after sensing of the trailing end and is moved to a pair of conveyors 9 and 14 with a slot therebetween. The clamp 101 102 (figure 11) move within the slot and place the article onto a conveyor for clamping by clamps 114a and 115a which places the article on conveyor 14 after identifying the trailing edge of the article. The article on the conveyor 14 is flattened thereon.

Claims 8 and 14-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ueda et al. (5,169,282).

Ueda et al. teach a method and apparatus for spreading an article of laundry. Ueda et al. teach an apparatus comprising clamping the article 4 at a first location using a clamp 2 (figure 1) and clamping the article adjacent to or at a corner using clamp 22 in addition to the first location. The corner and first location are displaceable and the first location is released and the corner is displaced in a second direction by clamp 22 and clamp 14 after sensing of the trailing end. The clamps 10 and 11 are moved along a conveyor and the article is flattened and presented to a feeding device 16. A portion of the conveyor 121 (figure 11a) is downwardly pivotable for moving a clamp 103 in such downward direction for releasing the first location of the article.

ALLOWABLE SUBJECT MATTER

Claim 31 is allowable over the prior art of record.

Claims 12 and 32 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

Claims 7, 17, 24-26 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

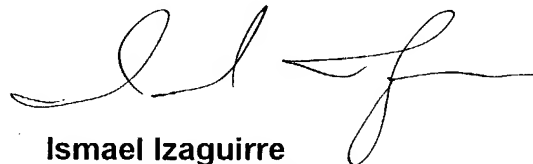
PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ueda et al. '915 and Kannegiesser illustrate article spreading apparatus including clamping and conveying articles.

INQUIRIES

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-0861.

Any inquiry concerning this communication or earlier communications directed to the examiner should be directed to Mr. Ismael Izaguirre at (703) 308-0892 located in CP2-4B18, Monday through Friday 9:30am to 6:00pm.



**Ismael Izaguirre
Primary Examiner
Group Art Unit 3765**